

EXHIBIT D

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

PENOBSCOT NATION

Plaintiff,

v.

JANET T. MILLS, et als.

Defendants.

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Civil Action No. 1:12-cv-00254-GZS

DECLARATION OF CHRISTOPHER B. FRANCIS

Christopher B. Francis hereby declares and states as follows:

1. My name is Christopher B. Francis.
2. I am an enrolled member of the Penobscot Nation.
3. My date of birth is xxxxxxxxxxxx, 1971, and have resided at Indian Island in the Penobscot River all of my life.
4. I have personal knowledge of the facts stated herein.
5. During my childhood, throughout the 1970s and into the early 1980s, my family relied upon fish, fresh water claims, and muskrat caught, gathered, and trapped from the waters and bed of the Penobscot River (the "River") surrounding Indian Island and northward for a substantial portion of our diet.
6. We relied upon all portions of the River, bank to bank, for these food sources.
7. From the spring (April) until the late fall (November), we relied upon these food sources from the River for three or four meals per week.
8. At each such meal, we caught, gathered, or trapped enough of these food sources from the River to feed my mother, my father, and me, which was between two and three pounds per meal.
9. The River species we ate during these meals included, but were not limited to, small mouth bass, perch, pickerel, catfish, fresh water clams, eel, and muskrat.

10. During this same period of time (throughout the 1970s and into the early 1980s), other families of Penobscot members at Indian Island similarly relied upon these same food sources for their diet as regularly as my family did.
11. Until the mid-1990s, I was often asked by elder members of the Tribe for fish from the River for their meals, and I often provided them with fish that I caught from the River near Indian Island, which they ate.
12. As my family became more aware of the contamination of fish and other River resources in the 1980s and 1990s, we refrained from relying as heavily upon the River for food. Other Penobscot families did the same.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 03/25/15

/s/ Christopher B. Francis
Christopher B. Francis